

REFERENCE TITLE: campaign finance; disclosure; occupation

State of Arizona  
Senate  
Forty-ninth Legislature  
First Regular Session  
2009

# **SB 1164**

Introduced by  
Senator Pearce

AN ACT

AMENDING SECTION 16-904, ARIZONA REVISED STATUTES; RELATING TO CAMPAIGN CONTRIBUTIONS AND EXPENSES.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:  
2       Section 1. Section 16-904, Arizona Revised Statutes, is amended to  
3 read:

4           16-904. Treasurer: duties: records: civil penalty

5       A. No expenditure may be made for or on behalf of a political  
6 committee without the authorization of the treasurer or his designated agent.

7       B. The treasurer shall maintain a record of all petty cash  
8 disbursements pursuant to subsection E, paragraph 4 of this section.

9       C. All receipts received by a political committee shall be deposited  
10 in an account designated pursuant to section 16-902, subsection C. All  
11 monies of a political committee shall be segregated from, and may not be  
12 commingled with, the monies of any individual other than contributions by an  
13 individual.

14       D. A political committee shall exercise its best efforts to obtain the  
15 required information for any incomplete contribution received that is  
16 required to be itemized on a campaign finance report pursuant to section  
17 16-915, subsection A, paragraph 3. A political committee will not be deemed  
18 to have exercised best efforts to obtain the required information unless the  
19 treasurer or his agent has made at least one effort after the receipt of the  
20 contribution to obtain the missing information by a written request sent to  
21 the contributor ~~or by oral contact with the contributor documented in writing~~  
22 and shall comply with the following:

23           1. The request must clearly ask for the missing information and inform  
24 the contributor that the committee is required by law to obtain the mailing  
25 address, occupation and employer of each individual contributor and the  
26 mailing address and identification number of each political committee  
27 contributor. **THE REQUEST SHALL INCLUDE THE FOLLOWING STATEMENT IN CAPITAL  
28 LETTERS: "THIS INFORMATION, INCLUDING OCCUPATION AND EMPLOYER, IS REQUIRED  
29 BY LAW. PLEASE SEND IT PROMPTLY."**

30           2. Any information required for the identification of a contributor  
31 received by the political committee after the contribution has been disclosed  
32 on a campaign finance report required pursuant to section 16-913 shall be  
33 reported on an amended report.

34           E. The treasurer of a political committee is the custodian of the  
35 committee's books and accounts and shall keep an account of all of the  
36 following:

37           1. All contributions or other monies received by or on behalf of the  
38 political committee.

39           2. The identification of any individual or political committee that  
40 makes any contribution together with the date and amount of each contribution  
41 and the date of deposit into a designated account.

42           3. Cumulative totals contributed by each individual or political  
43 committee.

1       4. The name and address of every person to whom any expenditure is  
2 made, the date, amount and purpose or reason for the expenditure and, except  
3 in the case of an expenditure by a candidate's campaign committee, the name  
4 of the candidate and the office sought by the candidate if the expenditure  
5 was made on behalf of or in opposition to a candidate.

6       5. All periodic or other statements for each account designated  
7 pursuant to section 16-902, subsection C.

8       F. Unless specified by the contributor or contributors to the  
9 contrary, the treasurer shall record a contribution made by check, money  
10 order or other written instrument as a contribution by the person whose  
11 signature or name appears on the bottom of the instrument or who endorses the  
12 instrument before delivery to the committee. If a contribution is made by  
13 more than one person in a single written instrument, the treasurer shall  
14 record the amount to be attributed to each contributor as specified.

15      G. All contributions other than in-kind contributions must be made by  
16 a check drawn on the account of the actual contributor or by a money order or  
17 a cashier's check containing the name of the actual contributor or must be  
18 evidenced by a written receipt with a copy of the receipt given to the  
19 contributor and a copy maintained in the contribution records of the  
20 recipient.

21      H. The treasurer shall preserve all records required to be kept by  
22 this section and copies of all finance reports required to be filed by this  
23 article for three years after the filing of the finance report covering the  
24 receipts and disbursements evidenced by the records.

25      I. On request of the attorney general, the county, city or town  
26 attorney or the filing officer, the treasurer shall provide any of the  
27 records required to be kept pursuant to this section.

28      J. A person who violates this section is subject to a civil penalty  
29 imposed as prescribed in section 16-924 of three times the amount of money  
30 that has been received, expended or promised in violation of this section or  
31 three times the value in money for an equivalent of money or other things of  
32 value that has been received, expended or promised in violation of this  
33 section.